

1 DANIEL J. BERGESON, Bar No. 105439
2 dbergeson@be-law.com
3 JOHN W. FOWLER, Bar No. 037463
4 jfowler@be-law.com
5 MELINDA M. MORTON, Bar No. 209373
6 mmorton@be-law.com
7 BERGESON, LLP
8 303 Almaden Boulevard, Suite 500
9 San Jose, CA 95110-2712
10 Telephone: (408) 291-6200
11 Facsimile: (408) 297-6000
12 Attorneys for Plaintiff
13 VERIGY US, INC.
14

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 VERIGY US, INC, a Delaware Corporation

19 Plaintiff,

20 vs.

21 ROMI OMAR MAYDER, an individual;
22 WESLEY MAYDER, an individual; SILICON
23 TEST SYSTEMS, INC., a California Corporation;
24 and SILICON TEST SOLUTIONS, LLC, a
25 California Limited Liability Corporation,
26 inclusive,

27 Defendants.
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Case No. C07 04330 RMW (HRL)

**DECLARATION OF MELINDA M.
MORTON IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE DOCUMENTS UNDER
SEAL**

Judge: Honorable Ronald M. Whyte
Ctrm: 6

1 I, Melinda M. Morton, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am an associate with the law firm of Bergeson, LLP, counsel of record for Plaintiff
4 Verigy US, Inc. ("Verigy" or "Plaintiff") in the above-captioned action. I have personal
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Administrative Motion for Leave to
8 File Document Under Seal.

9 3. I have reviewed the following materials ("the Materials"):

- 10 (a) Portions of Verigy's Reply and Supplemental Brief;
- 11 (b) Portions of the Declaration of Robert Pochowski and Exhibits 1 through 11;
- 12 (c) Portions of the Declaration of Ken Hanh Duc Lai and Exhibits 1, 3, and 4;
- 13 (d) Portions of the Declaration of Ira Leventhal and Exhibits 1 and 2;
- 14 (e) Exhibits 1-16, 18-25, and 28 to the Declaration of Melinda M. Morton; and
- 15 (f) Portions of the Declaration of Heather Flick and Exhibit 1; and
- 16 (g) Portions of the Declaration of Wei Wei and Exhibits D through I.

17 4. I have determined that these Materials (hereafter "the Materials") each disclose
18 information that has been designated as "Highly Confidential—Attorneys' Eyes Only or
19 "Confidential" by the parties under the protective order, without objection to those designations
20 (although Verigy reserves its rights to challenge such designations pursuant to the Stipulated
21 Protective Order).

22 5. The confidentiality interest of the parties therefore overcomes the right of public
23 access to the record, as a substantial probability exists that the parties' overriding confidentiality
24 interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly
25 tailored and no less restrictive means exist to achieve this overriding interest.

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2 I declare under penalty of perjury under the laws of the United States of America that the
3 foregoing is true and correct and that this declaration was executed this 16th day of November,
4 2007 at San Jose, California.

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6 /s/
Melinda M. Morton
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